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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID WILLIAMS,

Petitioner,

vs.

STATE OF NEVADA,

Respondent.

3:07-cv-00367-LRH-VPC

ORDER

Petitioner's motion (#5) for reconsideration is DENIED, for the reasons previously assigned in the remand order (#4). Petitioner's argument concerning the operation of the removal statutes with regard to state criminal proceedings is without merit under long-established authority. *See Georgia v. Rachel*, 384 U.S. 780, 792, 86 S.Ct. 1783, 1790, 16 L.Ed.2d 925 (1966); *City of Greenwood v. Peacock*, 384 U.S. 808, 827-28, 86 S.Ct. 1800, 1812, 16 L.Ed.2d 944 (1966); *California v. Sandoval*, 434 F.3d 635, 636 (9th Cir. 1970). The prior remand order stands, and this federal action remains closed.

DATED this 5th day of September, 2007.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE